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NOTICE OF ALLOWANCE AND FEE(S) DUE

71897

7590

02/05/2009

KAUTH, POMEROY, PECK & BAILEY, LLP
P.O. BOX 19152
IRVINE, CA 92623

EXAMINER

HASAN, SYED Y

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 02/05/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,809	12/08/2003	Adam H. Li	00072	5728

TITLE OF INVENTION: FILE FORMAT FOR MULTIPLE TRACK DIGITAL DATA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	05/05/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop **ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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P.O. BOX 19152
IRVINE, CA 92623

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop **ISSUE FEE** address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	YES	\$755	\$300	\$0	\$1055	05/05/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
HASAN, SYED Y	2621	386-095000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB-47; Rev 03-02 or more recent) attached. Use of a **Customer Number** is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims **SMALL ENTITY** status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming **SMALL ENTITY** status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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KAUTH, POMEROY, PECK & BAILEY, LLP
P.O. BOX 19152
IRVINE, CA 92623

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1189 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1189 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/731,809

Examiner

SYED Y. HASAN

Applicant(s)

LI, ADAM H.

Art Unit

2621

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9 October 2008.
2. ☒ The allowed claim(s) is/are 1, 5 - 58 and 60 - 89 (renumbered 1 - 85).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 4/17/2006, 4/23/2007 and 9/17/2008
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621

DETAILED ACTION

Examiners Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Bailey on 12/31/2008.

The application has been amended as follows:

Claims 1, 5 - 58 and 60 – 89 have been changed from "a computer readable medium" to "a playback device". Details for each claim is provided in the attached document 10731809 claim.

Allowable Subject Matter

2. Claims 1, 5 - 58 and 60 – 89 (renumbered 1 – 85) are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:

The present invention of claims 1, 5 - 58 and 60 – 89 is directed to a distributing and displaying still photos in a multimedia distribution system.

Independent **claim 1** identifies the unique distinct feature "**DRM information data block in said video stream header data chunk having a data structure defined as:**

```
typedef _DRMinfo [ WORD wVersion; STR sDRMinfo; ] DRMINFO. "
```

Independent **claim 29** identifies the unique distinct feature “**chapter stream format chunk in said chapter stream descriptor list including data having a TEXTINFO structure specifying a format of said at least one chapter track, said TEXTINFO structure being:**

typedef _textinfo [WORD wCodePage; WORD wCountryCode; WORD wLanguageCode; WORD wDialect] TEXTINFO.”

Independent **claim 34** identifies the unique distinct feature “**data chunk in said chapter stream data list having a structure defined as: typedef struct _chapterchunk [FOURCC fcc; DWORD cb; STR time; STR description] CHAPTERCHUNK**

wherein:

the fcc element specifies a four character code “nnxx”;

the cb element specifies a size of said structure;

the time element specifies a starting time of said at least one chapter track;

and

the description element specifies a description of said at least one chapter track.”

Independent **claim 41** identifies the unique distinct feature “**subtitle stream format chunk in said chapter stream descriptor list including data having a TEXTINFO structure specifying a format of said at least one subtitle track, said TEXTINFO structure being:**

typedef _textinfo [WORD wCodePage; WORD wCountryCode; WORD

wLanguageCode; WORD wDialect] TEXTINFO."

Independent **claim 49** identifies the unique distinct feature **"data chunk in said subtitle stream data list having a structure defined as:**

**typedef struct _subtitlechunk [FOURCC fcc; DWORD cb; STR duration;
STR subtitle] SUBTITLECHUNK**

wherein:

the fcc element specifies a four character code "nnxx";

the cb element specifies a size of said structure;

the time element specifies a starting time and a ending time of said at least one subtitle track; and

the subtitle element includes: a bitmap image in response to a bitmap form subtitle; and a unicode text in response to a text form subtitle."

Independent **claim 51** identifies the unique distinct feature **"video stream descriptor list further comprising a video stream header data chunk in response to said at least one video stream being digital rights management (DRM) protected, said video stream header data chunk including a DRM information data block having a structure defined as:**

typedef _DRMInfo [WORD wVersion; STR sDRMInfo;] DRMINFO

wherein: said element wVersion specifies a version of the DRM; and said element sDRMInfo specifies a protection of the DRM."

Independent **claim 70** identifies the unique distinct feature **"the medium, said chapter stream format chunk in said chapter stream descriptor list including data**

having a TEXTINFO structure specifying a format of said at least one chapter stream, said TEXTINFO structure being:

```
typedef _textinfo [ WORD wCodePage; WORD wCountryCode; WORD  
wLanguageCode; WORD wDialect ] TEXTINFO."
```

Independent claim 73 identifies the unique distinct feature "plurality of data chunks in said chapter stream data list having a structure defined as:

```
typedef struct _chapterchunk [ FOURCC fcc; DWORD cb; STR time; STR  
description ] CHAPTERCHUNK
```

wherein:

said fcc element specifies a four character code "nnxx";

said cb element specifies a size of said structure;

said time element specifies a starting time of said at least one chapter stream; and

said description element specifies a description of said at least one chapter stream."

Independent claim 77 identifies the unique distinct feature "in response to a bitmap form subtitle, said subtitle stream format chunk in said subtitle stream descriptor list includes data having a BITMAPINFOHEADER structure specifying a format of said at least one subtitle stream; and

in response to a text form subtitle, said subtitle stream format chunk in said subtitle stream descriptor list includes data having a TEXTINFO structure specifying a format of said at least one subtitle stream, said TEXTINFO structure

being:

```
typedef _textinfo [ WORD wCodePage; WORD wCountryCode; WORD  
wLanguageCode; WORD wDialect ] TEXTINFO."
```

Independent **claim 80** identifies the unique distinct feature **"plurality of data chunks in said subtitle stream data list having a structure:**

```
typedef struct _subtitlechunk [ FOURCC fcc; DWORD cb; STR duration;  
STR subtitle ] SUBTITLECHUNK
```

wherein:

said fcc element specifies a four character code "nnxx";

said cb element specifies a size of said structure;

said time element specifies a starting time and a ending time of said at
least one subtitle stream; and

said subtitle element includes:

a bitmap image in response to a bitmap form subtitle; and

a unicode text in response to a text form subtitle."

Independent **claim 81** identifies the unique distinct feature **"a chapter stream,**
including:

a chapter stream descriptor list comprising: a chapter stream header chunk
having a four character code "txts";

a chapter stream format chunk having a TEXTINFO structure specifying a
format of said chapter stream; and

**a chapter stream name chunk having a null terminated text string
"Chapter"; and**

**a chapter stream data list comprising a plurality of chapter data chunks,
each identified by a two digit stream index number followed by a two character
code "ch", said plurality of chapter data chunks having a structure:**

**typedef struct _chapterchunk [FOURCC fcc; DWORD cb; STR time; STR
description] CHAPTERCHUNK wherein:**

said fcc element specifies a four character code;

said cb element specifies a size of said structure;

**said time element specifies a starting time of said at least one chapter
stream; and
said description element specifies a description of said at least one chapter
stream."**

The prior art of record fails to teach, disclose or fairly suggest as recited in independent claims 1, 29, 34, 41, 49, 51, 70, 73, 77, 80 and 81 the prior art fails to disclose these limitations.

Hence independent claims 1, 29, 34, 41, 49, 51, 70, 73, 77, 80 and 81 are allowed.

Since claims 5 – 28, 30 – 33, 35 – 40, 42 – 48, 50, 52 – 58, 60 – 76, 78 – 79 and 83 – 89 are dependent on these independent claims, therefore they are also allowed.

Therefore claims 1, 5 - 58 and 60 – 89 (renumbered 1 – 85) are allowed over prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Y. H./
12/24/2008

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621